

FISCAL NOTE
SB 3053 - HB 3596

March 16, 2006

SUMMARY OF BILL: Requires the director of schools to provide a dismissal hearing for non-licensed employees being dismissed during the term of the person's year-to-year contract and beginning July 1, 2006 to follow procedures currently required for licensed, non-tenured employees.

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Expenditures – Exceeds \$100,000*

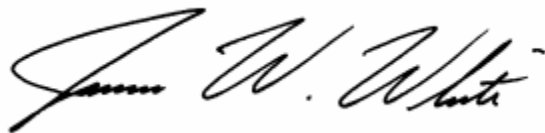
Assumptions:

- Under current law such employees are given a 15 days' notice of non-renewal of the contract before the end of the contract period.
- Under the provisions of this bill, employees on a year-to-year contract would be afforded the same rights as a non-tenured, licensed employee before being dismissed. Currently, there are 48,738 non-licensed employees in the school systems.
- Such rights include notice; an opportunity for a complete hearing, to be represented by counsel, and to call and examine witnesses; the right to require all testimony to be given under oath; and the right of appeal.
- The cost to local governments would depend upon the number of non-certificated LEA employees who would be dismissed during the term of their contract period and the additional staff time and attorney fees required to provide a more formal due process procedure before such termination could occur. Such increase in local government expenditures is difficult to determine; however, it can be estimated to exceed \$100,000.

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director